

## REMARKS

### I. Introduction

In response to the Office Action dated January 13, 2003, no claims cancelled, amended or added. Claims 1, 3-11, 13-21 and 23-30 remain in the application. Re-examination and re-consideration of the application is requested.

### II. Prior Art Rejections

In paragraphs (1)-(2) of the Office Action, claims 1, 3-7, 11, 13-17, 21, and 23-27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Schiefer et al., U.S. Patent No. 5,761,653 (Schiefer) in view of Subramanian et al., U.S. Patent No. 6,275,818 (Subramanian). In paragraph (3) of the Office Action, claims 8-10, 18-20, and 28-30 were rejected under 35 U.S.C. §103(a) as being unpatentable over Schiefer in view Subramanian and further in view of Raitto et al., U.S. Patent No. 5,991,754 (Raitto).

Applicants' attorney respectfully traverses the rejections. With regard to U.S. Patent No. 6,275,818 (Subramanian), Applicants' attorney invokes 35 U.S.C. §103(c) to eliminate this patent as a prior art reference, thereby eliminating all the rejections. In this regard, Applicants' attorney submits herewith a Statement of Common Ownership executed by Ingrid M. Foerster, attorney for I.B.M. Corporation. Applicants' attorney asserts that this Statement is sufficient evidence to establish common ownership of the present application and U.S. Patent No. 6,275,818 (Subramanian) at the time the invention of the present application was made.

### III. Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited.

Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicant's undersigned attorney.

Respectfully submitted,

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Date: April 14, 2003

By: 

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GHG/sjm

G&C 30571.272-US-U1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	David E. Simmen	Examiner:	Cindy Nguyen
Serial No.:	09/669,556	Group Art Unit:	2171
Filed:	September 26, 2000	Docket:	STL919990184
Title:	QUERY OPTIMIZATION TECHNIQUE FOR OBTAINING IMPROVED CARDINALITY ESTIMATES USING STATISTICS ON AUTOMATIC SUMMARY TABLES		

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STATEMENT OF COMMON OWNERSHIP

I, INGRID M. FOERSTER, declare as follows:

1. I was and remain a registered patent attorney employed by International Business Machines (IBM) Corporation, the assignee of the present application.
2. I am "of record" in the present application, by virtue of being listed on the original power of attorney submitted in the application.
3. In accordance with M.P.E.P. §706.02(l)(2), I can make the following "Statement Concerning Common Ownership":

"U.S. Patent No. 6,275,818 were, at the time the invention of U.S. Patent Application Serial No. 09/669,556 was made, both owned by International Business Machines Corporation."

4. I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 4/14/03

*I. Foerster*  
Ingrid M. Foerster